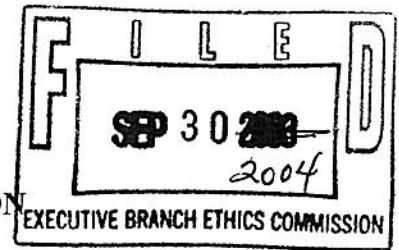


COMMONWEALTH OF KENTUCKY  
EXECUTIVE BRANCH ETHICS COMMISSION  
CASE 03-103  
ADMINISTRATIVE ACTION NO. 03-EBEC- 313



EXECUTIVE BRANCH ETHICS COMMISSION

COMPLAINANT

Vs.

WILLIAM L. HUFFMAN

RESPONDENT

\* \* \* \* \*

**FINAL ORDER**

\* \* \* \* \*

The Executive Branch Ethics Commission hereby adopts the Findings of Fact, Conclusions of Law and Recommended Order of the Hearing Officer as issued September 8, 2004, in its entirety.

**NOTICE OF APPEAL RIGHTS**

You have a right to appeal the Final Order of the agency pursuant to KRS 13B.140, which reads in part:

(1) All final orders of an agency shall be subject to judicial review in accordance with the provisions of this chapter. A party shall institute an appeal by filing a petition in the Circuit Court of venue, as provided in the agency's enabling statutes, within thirty (30) days after the final order of the agency is mailed or delivered by personal service. If venue for appeal is not stated in the enabling statutes, a party may appeal to Franklin Circuit Court or the Circuit Court of the county in which the appealing party resides or operates a place of business. Copies of the petition shall be served by the petitioner upon the agency and all parties of record. The petition shall include the names and addresses of all parties to the proceeding and the agency involved, and a statement of the grounds on which the

review is requested. The petition shall be accompanied by a copy of the final order.

Pursuant to KRS 23A.010(4), "Such review [by the Circuit court] shall not constitute an appeal but an original action." Some courts have interpreted this language to mean that summons must be served upon filing an appeal in Circuit Court.

SO ORDERED, this 30<sup>th</sup> day of September, 2004

EXECUTIVE BRANCH ETHICS COMMISSION

  
\_\_\_\_\_  
CHAIR:

  
\_\_\_\_\_  
VICE CHAIR:

  
\_\_\_\_\_  
MEMBER:

(VACANT)  
\_\_\_\_\_  
MEMBER:

(VACANT)  
\_\_\_\_\_  
MEMBER:

## DISTRIBUTION

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Frankfort, Kentucky 40601

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General Counsel  
Executive Branch Ethics Commission  
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702 Capitol Avenue  
Frankfort, Kentucky 40601

Hon. Scott D. Majors  
Hearing Officer  
Division of Administrative Hearings  
Office of the Attorney General  
1024 Capital Center Drive, Suite 200  
Frankfort, Kentucky 40601-8204

I hereby certify that the Final Order was mailed this 30<sup>th</sup> day of September, 2004.

  
\_\_\_\_\_  
Administrative Proceedings Clerk